

Article 13. Land Treatment**§66264.270. Applicability.**

The regulations in this article apply to owners and operators of facilities that treat or dispose of hazardous waste in land treatment units, except as section 66264.1 provides otherwise.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150, 25159 and 25159.5, Health and Safety Code; 40 CFR Section 264.270.

HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

§66264.271. Treatment Program.

(a) An owner or operator of a facility subject to this article shall establish a land treatment program that is designed to ensure that hazardous constituents placed in or on the treatment zone are degraded, transformed, or immobilized within the treatment zone. The Department will specify in the facility permit the elements of the treatment program, including:

(1) the wastes that are capable of being treated at the unit based on a demonstration under section 66264.272;

(2) design measures and operating practices necessary to maximize the success of degradation, transformation, and immobilization processes in the treatment zone in accordance with section 66264.273(a); and

(3) vadose zone monitoring provisions meeting the requirements of section 66264.278.

(b) The Department will specify in the facility permit the constituents of concern that shall be degraded, transformed, or immobilized under this article.

(c) The Department will specify the vertical and horizontal dimensions of the treatment zone in the facility permit. The treatment zone is the portion of the vadose zone below and including the land surface in which the owner or operator intends to maintain the conditions necessary for effective degradation, transformation, or immobilization of hazardous constituents. The maximum depth of the treatment zone shall be:

(1) no more than 1.5 meters (5 feet) from the initial soil surface; and

(2) more than 1.5 meters (5 feet) above the highest anticipated elevation of the water table.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150, 25159, 25159.5 and 25209.1, Health and Safety Code; 40 CFR Section 264.271.

HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

§66264.272. Treatment Demonstration.

(a) For each waste that will be applied to the treatment zone, the owner or operator shall demonstrate, prior to application of the waste, that constituents of concern in the waste can be completely degraded, transformed, or immobilized in the treatment zone.

(b) In making this demonstration, the owner or operator may use field tests, laboratory analyses, available data, or, in the case of existing units, operating data. If the owner or operator intends to conduct field tests or laboratory analyses in order to make the demonstration required under subsection (a) of this section, the owner or operator shall obtain a treatment or disposal permit under section 66270.63. The Department shall specify in this permit the testing, analytical, design, and operating requirements (including the duration of the tests and analyses, and, in the case of field tests, the horizontal and vertical dimensions of the treatment zone, monitoring procedures, closure and clean-up activities) necessary to meet the requirements in subsection (c) of this section.

(c) Any field test or laboratory analysis conducted in order to make a demonstration under subsection (a) of this section shall:

(1) accurately simulate the characteristics and operating conditions for the proposed land treatment unit including:

(A) the characteristics of the waste (including the presence of constituents listed in Appendix VIII of chapter 11);

(B) the climate in the area;

(C) the topography of the surrounding area;

(D) the characteristics of the soil in the treatment zone (including depth); and

(E) the operating practices to be used at the unit;

(2) be likely to show that constituents of concern in the waste to be tested will be completely degraded, transformed, or immobilized in the treatment zone of the proposed land treatment unit; and

(3) be conducted in a manner that protects human health and the environment considering:

(A) the characteristics of the waste to be tested;

(B) the operating and monitoring measures taken during the course of the test;

(C) the duration of the test;

(D) the volume of waste used in the test;

(E) in the case of field tests, the potential for migration of constituents of concern to ground water or surface water.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150, 25159 and 25159.5, Health and Safety Code; 40 CFR Section 264.272.

HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

§66264.273. Design and Operating Requirements.

The Department will specify in the facility permit how the owner or operator will design, construct, operate and maintain the land treatment unit in compliance with this section.

(a) The owner or operator shall design, construct, operate and maintain the unit to maximize the degradation, transformation and immobilization of constituents of concern in the treatment zone. The owner or operator shall design, construct, operate and maintain the unit in accord with all design and operating conditions that were used in the treatment demonstration under section 66264.272. At a minimum, the Department will specify the following in the facility permit:

- (1) the rate and method of waste application to the treatment zone;
- (2) measures to control soil pH;
- (3) measures to enhance microbial or chemical reactions (e.g., fertilization, tilling); and
- (4) measures to control the moisture content of the treatment zone.

(b) The owner or operator shall design, construct, operate and maintain the treatment zone to prevent run-off of constituents of concern during the active life of the land treatment unit.

(c) The owner or operator shall design, construct, operate and maintain a run-on control system capable of preventing flow onto the treatment zone during peak discharge from at least a 25-year storm.

(d) The owner or operator shall design, construct, operate and maintain a run-off management system to collect, control and properly manage at least the water volume resulting from a 24-hour, 25-year storm.

(e) Collection and holding facilities (e.g., tanks or basins) associated with run-on and run-off control systems shall be emptied or otherwise managed expeditiously after storms to maintain the design capacity of the system.

(f) If the treatment zone contains particulate matter which may be subject to wind dispersal, the owner or operator shall manage the unit to control wind dispersal.

(g) The owner or operator shall inspect the unit weekly and after storms to detect evidence of:

- (1) deterioration, malfunctions or improper operation of run-on and run-off control systems; and
- (2) improper functioning of wind dispersal control measures.

(h) The growth of food-chain crops in or on the treatment zone is prohibited.

(i) The owner or operator shall manage the unit to keep the release of airborne contaminants below nuisance levels or other levels necessary to protect human health or the environment.

(j)(1) Unless granted a variance pursuant to subsection (j)(2) of this section, or exempted pursuant to subsection (l) of this section, every new land treatment unit at a new or existing facility, every land treatment unit which replaces an existing land treatment unit, and every laterally expanded portion of an existing land treatment unit is required to be equipped with two or more liners and a leachate collection system meeting the requirements established in section 66264.301(c) for new landfills.

(2) The Department shall grant a variance from the requirements of subsection (j)(1) or subsection (k) of this section if the owner or operator demonstrates to the Department and the Department finds all of the following:

(A) the land treatment unit was an existing land treatment unit as of January 1, 1988, and no hazardous constituents identified in Appendix VIII to chapter 11 of this division have migrated from the treatment zone of the land treatment unit into the vadose zone or into the waters of the State, and no other hazardous constituents have migrated from the land treatment unit into the vadose zone or into the waters of the State in concentrations which pollute or threaten to pollute the vadose zone or the waters of the State. In making this demonstration the owner or operator shall take a sufficient number of core samples in, beneath and surrounding the treatment zone of the land treatment unit to characterize the chemical constituents in the treatment zone, in the immediate area of the vadose zone surrounding the treatment zone, and in the area of the vadose zone beneath the treatment zone and shall submit groundwater monitoring data sufficient in scope to demonstrate that there has been no migration of hazardous constituents in the vadose zone or into the waters of the State in concentrations which pollute or threaten to pollute the waters of the State. The owner or operator, as an alternative to taking these core samples, may use the data obtained from any land treatment demonstration required by the department pursuant to section 66264.272 if the data were obtained not more than two years prior to the application for the variance and were sufficient in scope to demonstrate that there has been no migration of hazardous constituents into the vadose zone or into the waters of the State in concentrations which pollute or threaten to pollute the vadose zone or waters of the State.

(B) Notwithstanding the date that the land treatment unit commenced operations, the design and operating practices will prevent the migration of hazardous constituents identified in Appendix VIII to chapter 11 of this division from the treatment zone of the land treatment unit into the vadose zone or into the waters of the State, and no other hazardous constituents have migrated from the land treatment unit into the vadose zone or into the waters of the State in concentrations which pollute or threaten to pollute the vadose zone or the waters of the State.

(C) Notwithstanding the date that the land treatment unit commenced operations, the design and operating practices provide for rapid detection and removal or remediation of any hazardous constituents that migrate from the treatment zone of the land treatment unit into the vadose zone or the waters of the State in concentrations that pollute or threaten to pollute the vadose zone or the waters of the State.

(3)(A) The Department shall renew a variance only in those cases where an owner or operator demonstrates to the Department and the Department finds, both of the following:

1. no hazardous constituents have migrated from the treatment zone of the land treatment unit into the vadose zone or into the waters of the State concentrations which pollute or threaten to pollute the vadose zone or the waters of the State;

2. continuing the operation of the land treatment unit does not pose a significant threat of hazardous constituents migrating from the land treatment unit into the vadose zone or into the waters of the State in concentrations which pollute or threaten to pollute the vadose zone or the waters of the State.

(B) In making the demonstration for the renewal of a variance pursuant to this subsection, the owner or operator may use field tests, laboratory analysis or operating data.

(4) A variance or a renewal of a variance may be issued for a period not to exceed three years.

(5) Neither the requirements of this section nor the variance provisions of subsection (j)(2) shall relieve the owner or operator from responsibility to comply with all other existing laws and regulations pertinent to land treatment units.

(k) Unless granted a variance pursuant to subsection (j)(2) or exempted under subsection (l) of this section, after January 1, 1990, no person shall discharge hazardous waste into a land treatment unit which has not been equipped with liners and a leachate collection and removal system which satisfy the requirements of subsection (j)(1) of this section.

(l) Land treatment of soil contaminated only with non-RCRA hazardous waste which has been excavated as part of a removal or remedial action at any hazardous substance release site is exempt from the requirements of subsection (j) of this section if all of the following apply:

(1) the Department determines that the land treatment does not pose a threat to public health or safety or the environment;

(2) the land treatment is conducted pursuant to a plan approved by the Department or a cleanup and abatement order issued by a regional water quality control board;

(3) the land treatment is not conducted at an offsite commercial facility;

(4) the land treatment is used only for purposes of removal or remedial action and, upon completion of the land treatment portion of the removal or remedial action, the land treatment unit is closed.

(m) For purposes of this section, the terms "removal," "remedial action," "hazardous substance" and "release" shall be defined in accordance with article 2 (commencing with section 25310) of chapter 6.8 division 20 of the Health and Safety Code.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150, 25159, 25159.5, 25209.2, 25209.3 and 25209.5, Health and Safety Code; 40 CFR Section 264.273.

HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

§66264.278. Vadose Zone Monitoring and Response.

In addition to the water quality monitoring and response requirements of article 6 and the environmental monitoring requirements of article 17 of this chapter, an owner or operator subject to this article shall establish a vadose zone monitoring program to discharge the following responsibilities.

(a) The owner or operator shall monitor the soil and soil-pore liquid to determine whether constituents of concern migrate out of the treatment zone.

(1) The Department will specify the constituents of concern to be monitored in the facility permit. The constituents of concern to be monitored are those specified under section 66264.271(b).

(2) The Department may require monitoring for principal constituents of concern in lieu of the constituents specified under section 66264.271(b). Principal constituents of concern are the constituents contained in the wastes to be applied at the unit that are the most difficult to treat, considering the combined effects of degradation, transformation, and immobilization. The Department may establish principal constituents of concern if it finds, based on waste analyses, treatment demonstrations, or other data, that effective degradation, transformation, or immobilization of the constituent will assure treatment at at least equivalent levels for the other constituents of concern in the wastes.

(b) The owner or operator shall install a vadose zone monitoring system that includes soil monitoring using soil cores and soil-pore liquid monitoring using devices such as lysimeters. The vadose zone monitoring system shall consist of a sufficient number of sampling points at appropriate locations and depths to yield samples that:

(1) represent the quality of background soil-pore liquid quality and the chemical make-up of soil that has not been affected by leakage from the treatment zone; and

(2) indicate the quality of soil-pore liquid and the chemical make-up of the soil below the treatment zone.

(c) The owner or operator shall establish a background concentration for each constituent of concern to be monitored under subsection (a) of this section. The permit will specify the background concentrations for each constituent or specify the procedures to be used to calculate the background concentrations.

(1) Background soil concentrations may be based on a one-time sampling at a background plot having characteristics similar to those of the treatment zone.

(2) Background soil-pore liquid concentrations shall be based on at least quarterly sampling for one year at a background plot having characteristics similar to those of the treatment zone.

(3) The owner or operator shall express all background concentrations in a form necessary for the determination of statistically significant increases under subsection (f) of this section.

(4) In taking samples used in the determination of all background concentrations, the owner or operator

shall use a vadose zone monitoring system that complies with subsection (b)(1) of this section.

(d) The owner or operator shall conduct soil monitoring and soil-pore liquid monitoring immediately below the treatment zone. The Department will specify the frequency and timing of soil and soil-pore liquid monitoring in the facility permit after considering the water quality monitoring requirements of article 6 of this chapter, the frequency, timing, and rate of waste application, and the soil permeability. The owner or operator shall express the results of soil and soil-pore liquid monitoring in a form necessary for the determination of statistically significant increases under subsection (f) of this section.

(e) The owner or operator shall use consistent sampling and analysis procedures that are designed to ensure sampling results that provide a reliable indication of soil-pore liquid quality and the chemical make-up of the soil below the treatment zone. At a minimum, the owner or operator must implement procedures and techniques for:

- (1) sample collection;
- (2) sample preservation and shipment;
- (3) analytical procedures; and
- (4) chain of custody control.

(f) The owner or operator shall determine whether there is a statistically significant change over background values concentrations for each constituent of concern to be monitored under subsection (a) of this section below the treatment zone each time the owner or operator conducts soil monitoring and soil-pore liquid monitoring under subsection (d) of this section.

(1) In determining whether a statistically significant increase has occurred, the owner or operator shall compare the value concentration of each constituent, as determined under subsection (d) of this section, to the background concentration for that constituent according to the statistical procedure specified in the facility permit under this subsection.

(2) The owner or operator shall determine whether there has been a statistically significant increase below the treatment zone within a reasonable time period after completion of sampling. The Department will specify that time period in the facility permit after considering the complexity of the statistical test and the availability of laboratory facilities to perform the analysis of soil and soil-pore liquid samples.

(3) The owner or operator shall determine whether there is a statistically significant increase below the treatment zone using a statistical procedure that provides reasonable confidence that migration from the treatment zone will be identified. The Department will specify a statistical procedure in the facility permit that it finds:

- (A) is appropriate for the distribution of the data used to establish background concentrations; and
- (B) provides a reasonable balance between the probability of falsely identifying migration from the treatment zone and the probability of failing to identify real migration from the treatment zone.

(g) Except as provided in section 66264.273(1), no person shall place or dispose of hazardous waste in a land treatment unit if any of the following conditions exist:

- (1) hazardous constituents have migrated from the land treatment unit into the vadose zone beneath or surrounding the treatment zone or into the waters beneath or surrounding the treatment zone;
- (2) there is evidence that a hazardous constituent in the waste discharged to the land treatment unit has not been or will not be completely degraded, transformed or immobilized in the treatment zone;
- (3) there is a significant potential for hazardous constituents to migrate from the land treatment unit into a potential source of drinking water.

(h) The owner or operator shall periodically, at the request of the Department, and at least annually, submit information required by the Department to assure that the conditions set forth in subsections (g)(1) and (g)(2) of this section are not present. The information shall include, but is not limited to the results of soil and soil-pore liquid monitoring conducted under subsection (d) of this section.

(i) If the owner or operator determines pursuant to subsection (f) of this section, that there has been a statistically significant increase in the concentration of a hazardous constituent below the treatment zone, or that either of the conditions set forth in subsections (g)(1) or (g)(2) of this section are detected and confirmed, or that conditions exist that render the owner or operator unable to continue to satisfy the variance requirements of section 66264.273(j)(2), the owner or operator shall, within 72 hours, report to the Department describing the full extent of the owner's or operator's findings, including the identification of all constituents which have shown a statistically significant increase.

(j) Upon receiving notice pursuant to subsection (i) of this section, or upon independent confirmation by the Department, the Department shall order the owner or operator to cease operating the land treatment unit. The owner or operator shall not resume operating the land treatment unit and shall close the land treatment unit unless one of the following actions is taken:

(1) the owner or operator completes appropriate removal or remedial actions to the satisfaction of the Department, and the owner or operator submits to the Department, and the Department approves, an application for a permit or a variance modification to modify the operating practices at the facility to maximize the success of degradation, immobilization, or transformation processes in the treatment zone; or

(2) the owner or operator completes appropriate removal or remedial actions, submits to the Department, and the Department approves, an application for a permit or a variance modification to modify the operating practices at the facility to maximize the success of degradation, immobilization, or transformation processes in the treatment zone, and equips the land treatment unit with liners and a leachate collection and removal system that satisfy the requirements of section 66264.273(j)(1).

(k) All actions taken by an owner or operator pursuant to subsections (j)(1) or (j)(2) of this section shall be completed within a time period specified by the Department, which shall not exceed 18 months after the Department

receives notice pursuant to subsection (i) of this section. If the actions are not completed within this time period, the land treatment unit shall be closed, unless granted an extension by the Department due to exceptional circumstances beyond the control of the owner and operator.

(f) If the owner or operator determines, pursuant to subsection (f) of this section, that there is a statistically significant increase of hazardous constituents below the treatment zone, the owner or operator may demonstrate that a source other than the land treatment unit caused the increase or that the increase resulted from an error in sampling, analysis, or evaluation. While the owner or operator may make a demonstration under this subsection in addition to, or in lieu of the requirements under subsections (j)(1) or (j)(2) of this section, the owner or operator is not relieved of the requirements of subsections (j) and (k) of this section unless the demonstration made under this subsection successfully shows that a source other than the land treatment unit caused the increase or that the increase resulted from an error in sampling, analysis, or evaluation. In making a demonstration under this subsection, the owner or operator shall:

(1) notify the Department in writing within seven days of determining a statistically significant increase below the treatment zone that the owner or operator intends to make a determination under this subsection;

(2) within 90 days, submit a report to the Department demonstrating that a source other than the regulated units caused the increase or that the increase resulted from error in sampling, analysis, or evaluation;

(3) within 90 days, submit to the Department an application for a permit modification to make any appropriate changes to the vadose zone monitoring program at the facility; and

(4) continue to monitor in accordance with the vadose zone monitoring program established under this section.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150, 25159, 25159.5 and 25209.4, Health and Safety Code; 40 CFR Section 264.278.

HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

§66264.279. Recordkeeping.

The owner or operator shall include hazardous waste application dates and rates in the operating record required under section 66264.73.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150, 25159 and 25159.5, Health and Safety Code; 40 CFR Section 264.279.

HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

§66264.280. Closure and Post-Closure Care.

(a) During the closure period the owner or operator shall:

(1) continue all operations (including pH control) necessary to maximize degradation, transformation, or immobilization of constituents of concern within the treatment zone as required under section 66264.273(a), except to the extent such measures are inconsistent with subsection (a)(7) of this section;

(2) continue all operations in the treatment zone to prevent run-off of constituents of concern as required under section 66264.273(b);

(3) maintain the run-on control system required under section 66264.273(c);

(4) maintain the run-off management system required under section 66264.273(d);

(5) control wind dispersal of hazardous waste if required under section 264.273(f);

(6) continue vadose zone monitoring in compliance with section 66264.278, except that soil-pore liquid monitoring may be terminated after the waste added to the treatment zone has been shown to the satisfaction of the Department to have been completely degraded, immobilized or transformed, but in no event can monitoring be discontinued in less than 90 the last application of waste to the treatment zone; and

(7) control of the release of airborne contaminants to below hazardous or nuisance levels or other levels as necessary to protect human health or the environment;

(8) establish a vegetative cover on the portion of the facility being closed at such time that the cover will not substantially impede degradation, transformation, or immobilization of constituents of concern in the treatment zone. The vegetative cover shall be capable of maintaining growth without extensive maintenance.

(b) For the purpose of complying with section 66264.115, when closure is completed the owner or operator may submit to the Department certification by an independent qualified soil scientist or an independent, California Certified Engineering Geologist in lieu of an independent California registered professional engineer, that the facility has been closed in accordance with the specifications in the approved closure plan.

(c) During the post-closure care period the owner or operator shall:

(1) continue all operations (including pH control) necessary to enhance degradation and transformation and sustain immobilization of constituents of concern in the treatment zone to the extent that such measures are consistent with other post-closure care activities;

(2) maintain a vegetative cover over closed portions of the facility;

(3) maintain run-on control system required under section 66264.273(c);

(4) maintain the run-off management system required under section 66264.273(d);

(5) control wind dispersal of hazardous waste if required under section 66264.273(f);

(6) continue vadose zone monitoring in compliance with section 66264.278 and section 66264.280(a)(6); and

(7) control of the release of airborne contaminants to below hazardous or nuisance levels or other levels as necessary to protect human health or the environment.

(d) The owner or operator is not subject to regulation under subsections (a)(7) and (c) of this section if the Department finds that the level of constituents of concern in the treatment zone soil does not exceed the background value of those constituents by an amount that is statistically significant when using the test specified in subsection (d)(3) of this section and that the waste in the treatment zone has been shown to the satisfaction of the Department to have been completely degraded, transformed or immobilized. The owner or operator may submit such a demonstration to the Department at any time during the closure or post-closure care periods. For the purposes of this subsection:

(1) the owner or operator shall establish background soil values and determine whether there is a statistically significant increase over those values for all constituents of concern specified in the facility permit under section 66264.271(b);

(A) background soil concentrations may be based on a one-time sampling of a background plot having characteristics similar to those of the treatment zone where soil has not been contacted by constituents of waste;

(B) the owner or operator shall express background values and values for constituents of concern in the treatment zone in a form necessary for the determination of statistically significant increases under subsection (d)(3) of this section;

(2) in taking samples used in the determination of background and treatment zone concentrations, the owner or operator shall take samples at a sufficient number of sampling points and at appropriate locations and depths to yield samples that represent the chemical make-up of soil that has not been affected by leakage from the treatment zone and the soil within the treatment zone, respectively;

(3) in determining whether a statistically significant increase has occurred, the owner or operator shall compare the concentration of each constituent in the treatment zone to the background concentration for that constituent using a statistical procedure that provides reasonable confidence that constituent presence in the treatment zone will be identified. The owner or operator shall use a statistical procedure that:

(A) is appropriate for the distribution of the data used to establish background concentrations; and

(B) provides a reasonable balance between the probability of falsely identifying a statistically significant increase for a constituent of concern in the treatment zone and the probability of failing to identify a statistically significant increase in the treatment zone.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150, 25159, 25159.5 and 25245, Health and Safety Code; 40 CFR Section 264.280.

HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

§66264.281. Special Requirements for Ignitable or Reactive Waste.

The owner or operator shall not apply ignitable or reactive waste to the treatment zone unless the waste and the treatment zone meet all applicable requirements of chapter 18 of this division, and:

(a) the waste is immediately incorporated into the soil so that:

(1) the resulting waste, mixture, or dissolution of material no longer meets the definition of ignitable or reactive waste under sections 66261.21 or 66261.23 of this chapter; and

(2) section 66264.17(b) is complied with; or

(b) the waste is managed in such a way that it is protected from any material or conditions which may cause it to ignite or react.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150, 25159 and 25159.5, Health and Safety Code; 40 CFR Section 264.281.

HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

§66264.282. Special Requirements for Incompatible Wastes.

The owner or operator shall not place incompatible wastes, or incompatible wastes and materials (see Appendix V of this part for examples), in or on the same treatment zone, unless section 66264.17(b) is complied with.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150, 25159 and 25159.5, Health and Safety Code; 40 CFR Section 264.282.

HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

§66264.283. Special Requirements Hazardous Wastes F020, F021, F022, F023, F026, and F027.

(a) Hazardous Wastes F020, F021, F022, F023, F026 and, F027 shall not be placed in a land treatment unit unless the owner or operator operates the facility in accordance with a management plan for these wastes that is approved by the Department pursuant to the standards set out in this subsection, and in accord with all other applicable requirements of this chapter. The factors to be considered are:

(1) the volume, physical, and chemical characteristics of the wastes, including their potential to migrate through soil or to volatilize or escape into the atmosphere;

(2) the attenuative properties of underlying and surrounding soils or other materials;

(3) the mobilizing properties of other materials co-disposed with these wastes; and

(4) the effectiveness of additional treatment, design, or monitoring techniques.

(b) The Department shall impose additional design, operating, and monitoring requirements for land treatment facilities managing hazardous wastes F020, F021, F022, F023, F026, and F027 if necessary to reduce the possibility of migration of these wastes to ground water, surface outside of the treatment zone, or air so as to protect human health and the environment.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150, 25159 and 25159.5, Health and Safety Code; 40 CFR Section 264.283.

HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).